Before the
Federal Communications Commission
Washington, D.C. 20554

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| In re<br><br>Maritime Communications/<br>Land Mobile LLC, DIP ("MCLM") and<br>Choctaw Holdings LLC ("Choctaw")<br><br>Assignment of License Authorization Applications: now in the name of "assignor" Choctaw, filed initially by assignor MCLM<br><br>Assignment Applications to Duquesne Light Company and Rappahannock<br><br>Relevant dockets<br><br>Call Signs WQGF316, WHG750, WQGF315 | | DA 18-147<br>Public Notice No. 12484. 08/02/2017<br><br>File Nos. in the Public Notice:<br>0004030479, 0004193328, 0004430505, 0004507921, 0004604962, 0005224980, 0006967374<br><br>File Nos. 0004315013 and 0006967374<br><br>Dockets: 11-71, 13-85 |

PETITION FOR RECONSIDERATION

To: Office of the Secretary
Attn: Chief, Wireless Telecommunications Bureau

Warren Havens
and
Polaris PNT PBC

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March 16, 2018

Warren Havens ("Havens") and Polaris PNT PBC ("Polaris") (together, the "Petitioners") hereby submit this petition for reconsideration (the "Recon") of the above-captioned Bureau Order, DA 18-147, released February 14, 2018 that denied Havens' 2010 and 2015 petitions to deny and dismissed Petitioners' 2017 Petition (together, the "Petitions")[1] (the "Order" or the "Decision") The Decision states that it responds to petitions in years 2010, 2015, and 2017 that each involve Havens, and the 2017 Petition also involves Polaris.

For reasons given herein, Petitioners request that the FCC reverse its various denial and dismissal decisions in the Decision, and grant the above-noted three Petitions in full.

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[1] The defined terms used herein have same meaning as in Petitioners' petition to deny filed in 2017 that was dismissed by the Order.

## Introduction and Summary

Initially, herein, the "FCC" means the person(s) and delated authority(ies) that constructively decided on and released the Decision: It is not clear who those persons are in the circumstance including (i) the ex parte rule violations that Petitioners assert, and (ii) Decision's rationale that it alleges to follow and implements the Commission's "Second Thursday" decision of December 2016 but where, Petitioners assert, that Decision cannot reasonably be deemed to authorize any persons in the Wireless Bureau to decide on and issue the Decision.

The substantial descriptions used in the section headers, listed in the Table of Contents above provides a sound summary.

## Tolling, and Reversible Error, Due to the "Sippel Order" (FCC 14M-15) Being Invalid as to Process, Substance, Law, and Time that Passed

Petitioner first points out here that the FCC has sat on (did not in any act upon) his appeals of the Sippel Order, FCC 15M-14, in Docket No. 11-71, for almost 3 years to this time, while at the same time, the FCC has expeditiously processed and decided upon various Maritime and Choctaw matters, including denials or dismissals of Havens' challenges.

This constitutes extreme impermissible unequal treatment and other Due Process rendering the disparate treatment and the ramifications, including the FCC- alleged loss of Standing, and the Decision, void. It could not be more clear that the Sippel Order and Appeals therefrom were filed due to the Sippel Order containing and being based upon actions in a formal hearing that gave rise to the right to appeal an interlocutory decision by a FCC administrative law judge without permission of the judge: All those appeals *as a matter of right* are provided for in FCC rules (and like rules of other authorities) because the matters being appealed must be decided by the Commission promptly -- at that stage in the hearing -- because they affect the rights of the subject(s) of the decision in the hearing (and thus and may also others parties' rights and obligations), as well as the course of the hearing, and without a prompt decision, a later

decision can be cause for the subject of the decision to challenge the event in the hearing that took place at such later decision time.

Thus, given that close to three years has passed, and the hearing has even been terminated, the Commission sitting on the Sippel Order is invalid, highly prejudicial and damaging to the appellants, and to any valid 11-71 proceeding and its results. At least upon the termination of the 11-71 proceeding, that took place in mid-year 2016, the Commission should have acknowledged that the Sipple Order, if ever it had any procedural issue or substance worth review, was impermissibly stale and void, under fundamental Due Process. Due Process requires a notice or fair warning, and a hearing, suitable for the issues before the government, and here, as just summarized, the extreme delay, by itself, is lack of required Due Process rending the Sipple Order and its results void.

In addition, the Sippel Order is the basis for the Receivership over the FCC license entities formerly controlled by Havens- according to the Receiver at times.[2] Petitioner Havens believes the FCC's inaction on his appeals of the Sippel Order is intentional, so that the FCC can, as it has been doing since the receivership took place, proceed to dismiss Havens' meritorious challenges as moot for lack of standing due to the receivership, which is a result of the FCC's Sippel Order. That is the FCC is choosing to avoid addressing the appeals of the Sippel Order in order to maintain the receivership situation that in turn allows the FCC to argue

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[2] However, the Judge that created and governs the receivership did not state in creating it why he did so, and even this year he stated that even the Receiver does not know his reasons. In any case, it is impermissible for any court or legal authority other than the FCC to take action reserved for the FCC including any action that only the FCC may take, including as a result of the Sippel Order, to cause a transfer of control in the licenses and licensees involved in the Sippel Order- which was Havens. If the plaintiff who sought the receivership wanted to do that, the sole authority to address was the FCC. Havens thus asserts that, for this and other reasons, the receivership is subject to FCC preemption and is void *ab initio*. Where the FCC indicates something like the reverse—that the FCC should take direction on its own licensing and adjudication matters to a proceeding by an outside legal authority, it violates the mandates of the Communications Act as to its exclusive jurisdiction and obligations and field and express preemption.

that Havens has lost all interest and standing and therefore proceed to dismiss or deny all of his challenges and proceed to grant windfall relief to MCLM, Choctaw and assignee parties. Havens believes that this corrupts all of the FCC's actions against Havens and his interests since the receivership was entered due to the Sippel Order, and thus those decisions will be subject to reversal and findings of *void ab initio*, if the appeals of the Sippel Order are ultimately successful.

Exhibit A contains a copy of the Court of Appeal of the State of California, First Appellate District, Opinion affirming the Receivership Order, filed August 23, 2017 (the "Court Opinion"). The Court Opinion makes clear that the Court of Appeal of the State of California found the interlocutory Sippel Order, FCC 15M-14, to be sufficient cause for the lower court to issue a receivership over the companies that Havens had previously managed. At pages 12-13 the Opinion states (underlining added):

> Havens has not shown an abuse of discretion under either California law or Delaware law. Havens insists the trial court erred by appointing a receiver because revocation of the Receivership Entities' licenses was *not* imminent after the Sippel Order. Even if we assume that Havens is correct that imminent risk of harm is required under Delaware law (*Berwald v. Mission Development Co.* (Del. 1962) 185 A.2d 480, 482), Havens's argument fails. Havens argues there was no imminent risk of harm because revocation of the Receivership Entities' licenses would be possible only after a contested hearing before the full Commission (47 U.S.C. § 312; 5 U.S.C. §§ 554, 558), and that "[n]o revocation hearing . . . could take place for a very long time." But under Jefferson Radio Co. v. Federal Communications Com. (D.C.Cir. 1964) 340 F.2d 781, a licensee is prohibited from transferring a license while a proceeding that might lead to license forfeiture is pending. (Id. at p. 783.) Thus, Leong is correct that the Receivership Entities' ability to freely transfer its licenses would be jeopardized if the FCC determined a qualifications hearing was justified. At the time the Receivership Order was entered, evidence showed a hearing designation order could issue at "any time" and would be catastrophic for the Receivership Entities.
>
> To invoke the authority to appoint a receiver under Code of Civil Procedure section 564, subdivision (b)(1), the plaintiff must establish a "joint interest with [the] defendant in the property; that the same was in danger of being lost, removed or materially injured, and that plaintiff's right to possession was probable." (Alhambra-etc. Mines v. Alhambra G. Mine, supra, 116 Cal.App.2d at p. 873.) Although the parties vehemently disagree regarding Leong's precise ownership share, there is no legitimate conflict in the evidence.16 Havens makes

> a wholly unsupported argument that Leong has no interest, but the record undisputedly shows Leong has a joint interest in Telesaurus and Verde. Leong also presented evidence showing he has a probable joint interest in the other Receivership Entities. Given Leong's probable interest in the Receivership Entities, we fail to see any abuse of discretion in the trial court's decision to appoint a receiver to protect Leong's interests from the danger they faced as a result of Havens's misconduct before the FCC.

The receivership, which the FCC argues has taken away Havens' interest and standing to challenge MCLM and Choctaw, is based upon the FCC's Sippel Order, which has been pending appeal for almost 3 years. The FCC has not indicated in that period that it was going to take any action based on Judge Sippel's referral; however, the FCC has effectively skirted Havens' Due Process and First Amendment rights, by allowing the State of California to issue a receivership based, according to the party that sought and maintains the receivership, on a referral by Judge Sippel that is subject to solely FCC jurisdiction.

The FCC is subject to holdings of the US Supreme Court applicable to the FCC. This includes *Radio Station WOW, Inc. v. Johnson,* 326 U.S. 120 (1945) that bars any assertion that Petitioners cannot address the FCC on any matter related their claims of private and public interests in any licensing or other proceeding or matter before the FCC.

The Falsely Asserted "Gag Order" and Even if Correctly Asserted, its Invalidity under US Supreme Court holdings, and Impermissible FCC Meddling in a non-FCC legal proceeding

In the Order, the Bureau cites to the Receivership Order's "gag" order on Havens, in support of its argument that Havens has no standing or interest in the matter; that he is restrained from addressing the FCC about the receivership entities or their FCC licenses. At footnote 38, the Bureau writes:

> The Receiver is now the sole authorized representative before the Commission of the entities formerly controlled by Havens, and Havens individually has no standing to assert duplicative interests. The order appointing the Receiver prohibited Havens from, inter alia , acting on behalf of any of the receivership entities or "[c]ommunicating with the FCC regarding the FCC Licenses or the Receivership Entities." Receivership Order at 5, para. 28(d).

The Bureau refers to the receivership order's "gag" order, but fails to acknowledge that the CA Court of Appeals granted Havens' Habeas petition, overturning the lower court's contempt order of Havens for making certain filings with the FCC. The Court of Appeals Order makes it clear that Havens can address the FCC as long as he makes it clear it is for himself (See Exhibit B that contains a copy of the Court of Appeals Order and related decisions). The fact the Bureau cites to this improper "gag" order on Havens' First Amendment rights shows that it is failing to uphold Havens' basic Constitutional Rights, including to Due Process for not having acted on the appeals of the Sippel Order for almost 3 years, while a receivership based on it takes over businesses in which he is the majority owner.

Standing and Interest: Petitioners Demonstrated Standing Under Applicable Facts and Authorities Shown, and the Decision Creates Additional Bases of Standing

The Petitions gave ample reasons under law why Petitioners have standing and interest to file their respective petitions. Petitioners do not reiterate those sections of the Petitions here again. The Order erred in finding that Petitioners do not have standing.

The Order failed to squarely address the Petitions' specific showings of standing and interest, including the Petition's referenced and incorporated "MOTION FOR DECLATORY RULING REGARDING STANDING EXPEDITED ACTION REQUESTED" filed concurrently with the Petition, that was attached as Exhibit 1 to the Petition (the "MDR"). The Order failed to squarely address the MDR's specific arguments, cited case precedents, and showings regarding why Petitioners have standing under applicable law. Instead, the Order reiterates the same arguments on standing that it has been making since the receivership was entered due to the Sippel Order. Reiterating the same position is not addressing Petitioners' substantive arguments and precedents supporting their standing. As such, the Bureau should do so on reconsideration.

Petitioners also maintain they have legal standing in this matter with respect the 2010 and 2015 petitions because the Order addressed the substance of those and denied them pursuant to its prior decision, rather than dismissing them.

In addition, Petitioners have rights to challenge the Order, just as the FCC allowed Paging Systems, Inc. to challenge the Havens- managed two AMTS licensees auction 57 results, where Paging System's first challenge was found to lack standing, but the FCC still addressed the substance, and then PSI challenged that decision a number of times further before the FCC.

Also, Petitioners, as persons among the interested "public" in the "public interest" to challenge under the "public interest" standard. "Public Interest" is not same as private interests in the commonly asserted "Article III" legal standing analysis.

Reference and Incorporation

With respect to the Order's denial of the Havens 2010 and 2015 petitions to deny, Petitioners refer to their February 6, 2017 Petition for Reconsideration of Order, DA 17-26. For the same reasons given in that pending petition for reconsideration, the Order erred in denying the 2010 and 2015 petitions to deny and should be reconsidered and overturned. It is more efficient for all parties for Petitioners to refer to their pending appeal, since it is already pending before the FCC and deals with the same issues, rather than reiterate those arguments again here (just as the Bureau did in the Order at paragraph 13 by referring to its prior decision).

The Decision Did Not Address Major
Substantive Challenge Components:
These Should Be Addressed on Reconsideration

The Order failed to squarely address the defects of the applications discussed in Petitioners' Petition at its pages 7-14 under its section "Defects in the Applications". Those included, but were not limited to the following:

(1) That Section 309(d) of the Communications Act required that the FCC put any new applications with Choctaw listed as assignor instead of MCLM on Public Notice. The Order

fails to explain how the FCC can entirely ignore the requirements of Section 309(d) solely because of its Second Thursday decision. By doing so, the FCC is changing rule requirements without a proper rulemaking proceeding, which as the Petition argued, makes the FCC's actions *ultra vires* and *void ab initio*.

(2) The FCC's rules, including Section 1.948, do not provide for simply switching out one assignor entity with another assignor entity on assignment applications, and there was no rulemaking by the FCC to change Section 1.948 to allow the FCC to do what it did. The Order states at paragraph 16, "Moreover, any such injury is not direct, let alone actual; Havens and Polaris do not explain how it would be redressed by dismissing the assignment applications and requiring Choctaw to file applications proposing to assign the same spectrum to the same parties." However, the FCC has rules that have to be followed, regardless of whether or not the end result may be the same at the end of the day in the FCC's opinion. In its decisions dismissing Havens' site-based applications for AMTS waterways, where Havens served all of the waterway he could, but not the required total percentage of the waterway, the FCC consistently stated that strict application of its rules may be harsh at times, but it has to follow its rules. In the case of MCLM and Choctaw, it has taken the opposite position to the extreme, and continues a pattern of waiving its rules and their requirements, without granting any formal waivers, to continue to allow MCLM (and now its predecessor Choctaw, which is made up of investors in MCLM) to keep AMTS licenses, and to sell them, that were either won by clear cheating at auction, or kept by fraud (e.g. as shown in FCC records and docket No. 11-71, keeping stations that were not in operation for up to 7 years or more and stating that their records were destroyed, etc.)

(3) That FCC precedent, Letter, DA 06-2016, *21 FCC Rcd 11711* (*Fatima Response, Inc*) required Choctaw to file new applications—the Order entirely ignores addressing this precedent

and therefore it must address and reconcile its current decision with that past precedent, and any other precedents that conflict with the Order.

(4) That the improperly altered Applications are defective on their face because they do not contain the correct signature dates or proper and current certification statements by the assignore and assignee parties, because, as is obvious, they were originally submitted by MCLM and the assignee parties many years ago, and not newly by Choctaw and the assignee parties. Therefore, the Bureau cannot simply substitute Choctaw for MCLM on the Applications because the Applications' certifications, signature dates, and other details were at the date originally submitted and not by the current parties (the assignee parties' ceritifcations, qualifications and other information may now be different, and Choctaw is clearly a new assignor entity).

(5) That the Order did not comply with the Bankrutpcy Court Orders and Chapter 11 Plan, which required FCC rules to be followed and that required first Choctaw to obtain the licenses and then to take actions with them, such as assignments.

(6) Ex Parte Issues: At its pages 10-11, the Petition argued that the FCC and Choctaw and MCLM must have engaged in prohibited *ex parte* communications, because the FCC made "internal corrections" to the Applications and otherwise, must have been discussing with Choctaw and MCLM and others substitution of Choctaw on the Applications and other relevant changes or non-changes to the Applications. The Order did not address or squarely address these and they should be addressed on reconsideration. If said communications were not impermissible *ex parte*, then the FCC did not have to address the Petitions at all.

The Order's "Second Thursday" Rational is Not Valid

The Order's rationale, at its paragraph 10, to allegedly follow and support the Commission's December 2016 "Second Thursday" "doctrine" decision is not valid for several reasons. Initially, where a FCC delated authority makes a decision to follow and support a preceding Commission decision, interpreting and applying it, and where that Commission

decision is under pending challenge by the petitioners that are subject of the delated authority decision, the petitioners may follow, support, and explain their pending challenge before the Commission in seeking reconsideration before the delegated authority. Petitioners do this below.

First: The Order contradicts the December 2016 Second Thursday decision since the Commission directed the Bureau (as it must under its Part 0 rules and the Communications Act) to proceed under rules and the underlying "public interest, "not to proceed contrary those, as if MCLM and Choctaw obtained or is entitled to an open-ended waiver of rules and the underlying public interest. Second: Petitioner's pending challenge to that Second Thursday decision asserts that the Second Thursday doctrine -- (at least as it has come to be construed and asserted by the Commission and parties seeking relief under the doctrine) -- is an impermissible interpretative rule, on top of which the Commission's December 2016 "Second Thursday" decision is a greatly broadened and even more impermissible interpretive rule of the impermissible doctrine rule. Petitioners assert that Bureau action challenged by Petitioners, but supported in the Decision, is, at best, an invalid application of these invalid interpretive rules.

For example,[3] the following applies to both the above-noted Second Thursday Doctrine (based on a series of Commission and Delegated Authority decisions), and the expansion of it by the December 2016 Second Thursday decision, and also to the subject Bureau Decision that follows and support these preceding decisions:

> First, when an agency transposes a vague, general rule into specific criteria applicable to private parties, it is hard to qualify the action as anything but substantive rulemaking."[I]f the relevant statute or regulation 'consists of vague or vacuous terms—such as 'fair and equitable,' 'just and reasonable,' 'in the public interest,' and the like—the process of announcing propositions that specify applications of those terms is not ordinarily one of interpretation, because those terms in themselves do not supply substance from which the propositions can be derived.'" *Catholic Health*, 617 F.3d at 494–95 (citing Robert A. Anthony, "Interpretative" Rules, "Legislative" Rules, and "Spurious" Rules: Lifting the

[3] The quoted text is from the "Brief Of Legal Scholars Ronald A. Cass And Christopher C. Demuth And The Judicial Education Project. Amici Curiae In Support Of Respondents," before the US Supreme Court in the case decided as *United States v. Texas,* 136 S. Ct. 2271 (2016).

> Smog, 8 Admin. L. J. Am. U. 1, 6 n.21 (1994))....However the agency may describe the exercise of that authority, it involves substantive rulemaking and requires notice and comment. *Hoctor*, 82 F.3d at 170–71.
> [….]
>
> In distinguishing rules with substantive legal effect from interpretative rules and statements of policy, courts of appeals have relied on an "impact on the agency" test. That test "turns on an agency's intention to bind itself to a particular legal policy decision." *U.S. Tel. Ass'n v.* ***FCC*****,** 28 F.3d 1232, 1234 (D.C. Cir. 1994); see *also Prof'ls and Patients for Customized Care v. Shalala,* 56 F.3d 592 (5th Cir. 1995).

Petitioners' position, again, is that the Second Thursday Doctrine, and the expansion of is by the December 2016 Second Thursday decision, are not permissible interpretive rulemaking but: "transposes a vague, general rule into specific criteria applicable to private parties […and thus are] substantive rulemaking. But they were not subject to the required rulemaking procedure starting with public notice and comment (among other fatal defects). Also from the above-cited amicus brief:

> Second, the APA commands that an agency engaged in rulemaking must give reasons for its actions. See *Motor Vehicle Mfrs. Assn. v. State Farm Mut. Auto. Ins. Co*., 463 U.S. 29, 43 (1983). That requirement helps to ensure that agencies act within the scope of their delegated authority, and it protects private parties' opportunity for meaningful judicial review. An "arbitrary choice among methods of implementation" may rest on compelling reasons; on considerations that may or may not pass an "arbitrary and capricious" examination; on no reason except administrative convenience; or even on considerations that are affirmatively foreclosed by an agency's organic statute. Cf. *Judulang v. Holder,* 132 S. Ct. 476, 483–84 (2011) ("[c]ourts retain a role, and an important one, in ensuring that agencies have engaged in reasoned decisionmaking").
> [....]

Petitioners' position, again, is that the Commission did not give required reasons for its December 2016 Second Thursday decision (not did the Commission and FCC Bureaus' ever do so when the Second Thursday "doctrine" was pieced together over time into an impermissible rule (that, as noted above, is really an impermissible substantive rule in the guise of an interpretive rule).

In addition to the above analysis, an interpretive rule is invalid if it directly undermines or changes a substantive rule. That is also part of Petitioner's existing position regarding the

Second Thursday Doctrine (as it has come to be) and its expansion in the December 2016 Second Thursday decision. Thus, the subject Bureau Order, that follows those is also invalid.

Further, the Order is directly in violation of this principle: it undermines and effectively changes the applicable rules, as cited in the challenge Petition. That is further clear since there was no waiver granted. In further support of the preceding point (and as also already raised by Petitioners), see the following quoted text from: Sharkey, Catherine M. "The anti-deference pro-preemption paradox at the U.S. Supreme Court: the business community weighs in." In Case Western Reserve Law Review, Mar 22, 2017 (emphasis added):

> Sixteen years after writing the Auer decision, the late Justice Scalia, in *Decker*, railed against this doctrine of deference to agency interpretations of their own regulations, which he termed "a dangerous permission slip for the abrogation of power." (45) Elaborating further, Justice Scalia warned: "[w]hen the legislative and executive powers are united in the same person ... there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner." (46)
> [….]
> _____
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> (45.) *Decker v. Nw. Envtl. Def. Ctr.,* 133 S. Ct. 1326, 1341 (2013) (Scalia, J., concurring in part and dissenting in part).
> (46.) Id. (quoting Baron de Montesquieu, The Spirit of Laws 151-52 (Thomas Nugent trans., O. Piest ed. 1949) (1748)).
> _____
>
> In *Talk America, Inc. v. Michigan Bell Telephone Co*., (76) Sprint Nextel and Comptel, two telecommunications corporations that benefited from a Federal Communication Commission interpretation, likewise argued for Auer deference. (76) In that case, Michigan Bell, a subsidiary of AT&T, challenged the Michigan Public Service Commission's interpretation of the Telecommunications Act as requiring incumbent local exchange carriers- like Michigan Bell--to give access to their equipment and services to competitive local exchange carriers at cost. (77) The Sixth Circuit Court of Appeals held that " Auer deference [is] unavailing ... because the [Federal Communication Commission's] proffered interpretation is so plainly erroneous or inconsistent with the regulation ... that we can only conclude that the FCC has attempted to create a new de facto regulation under the guise of interpreting the regulation." (78)
> _____
>
> (76.) Brief for Sprint Nextel Corp. as Amicus Curiae Supporting Petitioners at 19, Talk Am., Inc., 564 U.S. 50 (Nos. 10-313, 10-329); Brief for Amicus Curiae Comptel in Support of Petitioners at 2-3, Talk Am., Inc., 564 U.S. 50 (Nos. 10-313, 10-329).
> (77.) *Talk Am., Inc.,* 564 U.S. at 55.

(78.) *Mich. Bell Tel. Co. v. Covad Commc'ns Co.,* 597 F.3d 370, 375 n.6 (6th Cir. 2010). The U.S. Supreme Court reversed. The majority looked to the FCC's interpretation of its regulations to resolve the ambiguities in the statutory scheme, and deferred to that interpretation after finding it "reasonable." *Talk Am., Inc.,* 564 U.S. at 59-67. "[W]e defer to an agency's interpretation of its regulations, even in a legal brief, unless the interpretation is 'plainly erroneous or inconsistent with the regulation[s]' or there is any other 'reason to suspect that the interpretation does not reflect the agency's fair and considered judgment on the matter in question.'" Id. at 59 (quoting *Auer v. Robbins,* 519 U.S. 452, 461-62 (1997)).

## Conclusion

For the reasons given, this petition for reconsideration should be granted.

Respectfully submitted,

March 16, 2018,

*/s/*

Warren Havens

Warren Havens, an individual

Warren Havens,
President, Polaris PNT PBC (a Delaware Public Benefit Corporation)

Contact information is on the Caption page.

Email: wrrnvns@gmail.com[4]

[4] Call first to enable email to me.

## Declaration

I, Warren Havens, declare under penalty of perjury that the foregoing filing was prepared pursuant to my direction and control and that the factual statements and representations therein known by me are true and correct.

*/s/*

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Warren Havens

March 16, 2018

Certificate of Filing and Service

I, Warren C. Havens, certify that I have, on March 16, 2018:[*]

(1) Caused to be served, by placing into the USPS mail system with first-class postage affixed unless otherwise noted below, a copy of the foregoing filing, including any exhibits or attachments, to the following (Note: most of the addresses used for Assignees below are the assignee contact information off of the Applications on FCC ULS):

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[*] The mailed service copies being placed into a USPS drop-box today may be after business hours and thus may not be processed and postmarked by the USPS until the next business day.

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(2) Caused to be filed the foregoing filing as stated on the caption page, and thus, as I have been instructed, [**] provide notice and service to any party that has or may seek to participate in dockets 13-85 and 11-71 that extend to this filing.

*/s/*

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Warren Havens

[**] The FCC Office of General Counsel informed me regarding others' filings concerning MCLM relief proceedings that I was served in this fashion. I assume OGC does not apply a different standard to others. If OGC has a different standard, it can make that clear and public.